

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Mikayla Cheyenne Savage

Plaintiff,

vs.

Harris County, Texas, et al.

Defendants.

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CIVIL ACTION NO. 4:24-cv-00666

PLAINTIFF’S UOPPOSED MOTION TO MODIFY SCHEDULING ORDER

Plaintiff Mikayla Savage (“Plaintiff”) moves for a modification of this Court’s Scheduling Order (ECF No. 41) to extend the existing case schedule.

In support of her motion, Plaintiff states the following:

1. Good cause exists for a limited extension of the case schedule to allow Plaintiff to pursue discovery from Defendants.

2. As of the date of this Motion, this Court has granted the motions to stay discovery as to Defendants Gloria Ezeoke and Ozalynn Lozano, until this Court is able to determine their qualified immunity defenses raised in their motions to dismiss Plaintiff’s Second Amended Complaint. Doc. 137. Defendant Lakisha Cheatham also has a motion to stay *all* discovery until her qualified immunity defense is resolved, pending before this Court. Doc. 110. Discovery against Defendants Ezeoke and Lozano is therefore currently stayed, and Defendant Cheatham has sought to stay *all* discovery pursuant to her reading of *Carswell v. Camp*, 54 F.4th 307 (5th Cir. 2022).

3. According to the current scheduling order, Plaintiff needs to submit any expert identifications by June 2, 2025. Plaintiff’s experts are not fully equipped to address her claims against these named Defendants because Plaintiff has not been able to commence discovery against

them.

4. An extension of the discovery deadlines will allow Plaintiff time to commence discovery against these individual Defendants after the Court resolves their qualified immunity defenses, assuming they remain Defendants in the case, and prosecute her case fully.

5. For these reasons, Plaintiff respectfully requests that the Court extend the existing case deadlines as follows:

- a. Plaintiff shall identify witnesses by a report listing the qualifications of each expert, each opinion that the expert will present, and the basis for it, on or before 90 days after the Court's entry of an order on the last-filed motion to dismiss the Second Amended Complaint.
- b. Defendants shall identify witnesses by a report listing the qualifications of each expert, each opinion that the expert will present, and the basis for it, no later than 30 days after Plaintiff's expert witness identification.
- c. Plaintiff shall identify rebuttal witnesses no later than 21 days after Defendants' expert witness identification.
- d. Fact discovery must be completed by November 7, 2025.
- e. Dispositive and non-dispositive motions (except motions *in limine*) will be filed by December 5, 2025.
- f. Joint pretrial order and motions *in limine* will be filed on or before March 6, 2026.
- g. Trial will begin on March 16, 2026.

WHEREFORE, Plaintiff moves the Court to modify its Scheduling Order (ECF No. 90) to conform to the proposal set forth herein.

[Signature page follows]

Dated: May 23p, 2025

Respectfully submitted,

/s/ Karley Buckley

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Attorneys for Plaintiff Mikayla Cheyenne Savage

CERTIFICATE OF CONFERENCE

On Wednesday, May 21, 2025, the undersigned counsel conferred with counsel of record for Defendants who have appeared in this action. Defendants' counsel confirmed that they are unopposed to the relief sought in the Motion.

/s/ Karley Buckley
Karley Buckley

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document has been served electronically via email on May 23, 2025 on all defense counsel of record.

/s/ Karley Buckley
Karley Buckley